

LOT 1, PURITAN ANNEXATION AND ZONING

PETITION FOR ANNEXATION TO THE TOWN OF FREDERICK

DATE: January 20, 2008

TO: THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO.

I, Nicolae Toderica, the undersigned landowner, in accordance with Colorado law, hereby petition the Town of Frederick and its Board of Trustees for annexation to the Town of Frederick of the following described unincorporated territory located in the County of Weld and State of Colorado, to-wit:

"See legal description in Exhibit A, attached hereto and incorporated herein by this reference."

As part of this petition, your petitioner further states to the Board of Trustees of Frederick, Colorado, that:

1. It is desirable and necessary that the territory described in Exhibit A be annexed to the Town of Frederick.
2. The requirements of C.R.S. sections 31-12-104 and 31-12-105, as amended, exist or have been met in that:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town of Frederick or will be contiguous with the Town of Frederick within such time as required by 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Frederick.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the Town of Frederick.
 - e. No land within the boundary of the territory proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road or other public way.
 - f. No land within the boundary of the area proposed to be annexed which is held in identical ownership, comprises twenty acres or more, and which, together with the buildings and improvements situated thereon has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g. No annexation proceedings have been commenced for any portion of the territory proposed to be annexed for the annexation of such territory to another municipality.
 - h. The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district.

i. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the Town of Frederick more than three miles in any direction from any point of the boundary of the Town of Frederick in any one year.

j. Prior to completion of the annexation of the territory proposed to be annexed, the Town of Frederick will have in place a plan for that area, which generally describes the proposed: Location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the Town of Frederick; and the proposed land uses for the area; such plan to be updated at least once annually.

k. In establishing the boundary of the territory proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the territory to be annexed. The Town of Frederick will not deny reasonable access to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the Town of Frederick but is not bounded on both sides by the Town of Frederick.

3. The owners of more than fifty percent of the area proposed to be annexed, exclusive of dedicated streets and alleys, have signed this petition and hereby petition for annexation of such territory.

4. Accompanying this petition are four copies of an annexation map containing the following information:

a. A written legal description of the boundaries of the area proposed to be annexed;

b. A map showing the boundary of the area proposed to be annexed, said map prepared and containing the seal of a registered engineer;

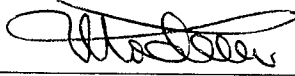
c. Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;

d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Frederick and the contiguous boundary of any other municipality abutting the area proposed to be annexed, and a showing of the dimensions of such contiguous boundaries.

5. Upon the Annexation Ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, rules and regulations of the Town of Frederick, except for general property taxes of the Town of Frederick which shall become effective as the January 1 next ensuing.

6. The zoning classification requested for the area proposed to be annexed is C-H52 Mixed Use Highway 52 District.

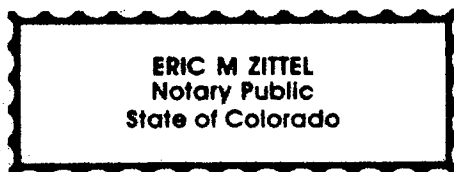
WHEREFORE, the following petitioner respectfully requests that the Town of Frederick, acting through its Board of Trustees, approve the annexation of the area proposed to be annexed. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

Owner/Applicant:  Date: 3/27/09
Nicolae Toderica

STATE OF COLORADO)
COUNTY OF Boulder) SS.

The foregoing instrument was acknowledged before me this 27 day of March, 192009 by
Nicolae Toderica

My commission expires: 11/17/2010
Witness My hand and official seal.




Notary Public

RECORD OF
LAND OWNERSHIP AND DATE SIGNED

Landowner/Petitioner
Mailing Address

Date Signed

Legal Description
of Land Owned

Nicolae Toderica
7705 Crestview Drive
Longmont, Colorado 80504

3/27/09

Exhibit A

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)

COUNTY OF Boulder SS.

Nicolae toderica, being first duly sworn upon oath, deposes and says that (he or she) was the circulator of this Petition for Annexation of lands to the Town of Frederick, Colorado, consisting of 6 pages including this page and that each signature hereon was witnessed by your affiant and is the signature of the person whose name it purports to be.

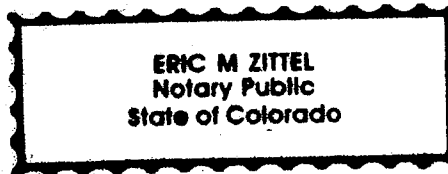
Circulator

STATE OF COLORADO)

COUNTY OF Boulder SS.

The foregoing instrument was acknowledged before me this 27 day of March, 19 2009
by Nicolae toderica.

My commission expires: 11/17/2010
Witness My hand and official seal.



[Signature]
Notary Public

EXHIBIT "A"

LOT 1, PURITAN ANNEXATION AND ZONING

Legal Description:

A parcel of land to be annexed into the Town of Frederick, located in the Southwest Quarter (SW1/4) of Section Thirty-four (34), Township Two North (T.2N.), Range Sixty-Eight West (R.68W.) of the 6th P.M., County of Weld, State of Colorado, being more particularly described as follows:

COMMENCING at the South Quarter Corner of said Section 34 and assuming the South line of the SW1/4 of said Section 34 as bearing South 89°36'20" West, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2655.22 feet with all bearings contained herein relative thereto;

THENCE North 00°10'41" West along the East line of the SW1/4 of said Section 34 a distance of 30.00 feet to a line parallel with and 30.00 feet Northerly of, as measured at a right angle to the South line of the SW1/4 of said Section 34;

THENCE South 89°36'20" West along a line parallel with and 30.00 feet Northerly of, as measured at a right angle to the South line of the SW1/4 of said Section 34, said line being coincidental to the North line of the Highway 52 Annexation, recorded February 1, 2007 as Reception No. 3452475 of the Records of Weld County, a distance of 907.19 feet to the POINT OF BEGINNING, said point being at an intersection of said Highway 52 Annexation and a boundary line of the Wyndham Hill Annexation No. 1, recorded June 7, 2004 as Reception No. 3187002 of the Records of Weld County;

THENCE South 89°36'20" West continuing along a line parallel with and 30.00 feet Northerly of, as measured at a right angle to the South line of the SW1/4 of said Section 34 a distance of 536.00 feet to the Westerly Right of Way line of Puritan Lane;

THENCE North 00°23'40" West along the Westerly Right of Way line of said Puritan Lane a distance of 404.65 feet to a line 434.65' Northerly of, as measured at a right angle to the South line of the SW1/4 of said Section 34, said line being coincidental with the North line of Lot 1 of the Puritan Subdivision, recorded July 1, 1947 as Reception No. 1009475 of the Records of Weld County;

THENCE North 89°36'20" East along a line 434.65' Northerly of, as measured at a right angle to the South line of the SW1/4 of said Section 34 a distance of 536.00 feet to an intersection with the boundary line of said Wyndham Hill Annexation No. 1;

THENCE South 00°23'40" East along the boundary line of said Wyndham Hill Annexation No. 1 a distance of 404.65 feet to the North line of said Highway 52 Annexation and to the POINT OF BEGINNING.

Said described parcel of land contains a total of 216,893 sq. ft or 4.979 acres, more or less and is subject to any existing easements and rights of way of record or as now existing on said described parcel of land.

CES Consultants, LLC

January 20, 2008

Town of Frederick
401 Locust Street
Frederick, CO 80530

**Re: Lot 1, Puritan Annexation and Zoning and Comprehensive Plan Amendment
Application
Town of Frederick, Colorado**

To the Town Board:

CES Consultants, LLC, (CES) on behalf of Nicolae Toderica and St. Dimitrie The New Church, is pleased to submit this application for the Annexation and Zoning, and Comprehensive Plan Amendment requesting annexation for Lot 1, Puritan Subdivision into the Town of Frederick. The proposed site is located in the Southwest 1/4 of Section 34, Township 2 North, Range 68 West, of the 6th Principal Meridian, County of Weld, Colorado. More specifically, the site is located at the northeast corner of Puritan Lane and Highway 52, which is approximately one-half mile west of the intersection Interstate 25 and Highway 52. The site contains approximately 4.979 acres and is vacant and covered by natural vegetation.

At this time, it is Mr. Toderica's and the Church's intent to annex the site into the Town of Frederick and establish the zoning on the site as C-H52 Mixed Use Commercial Highway 52 District. Later, the site will be split into two (2) lots with the western lot being donated to Saint Dimitrie the New Church and developed into a new church site. The eastern lot will be owned by Mr. Toderica and will remain undeveloped at this time, but could potentially be developed as a commercial site in the future.

Saint Dimitrie Mission started in 2007 with a small number of members, but very determined to create a sacred place to worship God in the spirit of the Orthodox tradition. The church presently is renting a building in Boulder where they have been able to perform their weekly services from inception. After almost a year and half of existence the church has only about twenty members. About 5 to 6 cars are in the parking lot on any given Sunday. For special times of the year (Easter and Christmas) they have as many as 40-50 people attend the service.

The Romanian community in Colorado, even with the continuous growth of the last decades is still a relatively small group of people. The majority of the members are very educated and are bilingual. The first generation coming from Romania still favors the

Romanian language and the next generation is using the English language as their first language. Because of this characteristic, the religious services are performed in both languages.

At this moment, there are two Romanian Churches in Colorado, both Christian Orthodox, as this very old religion is the primary choice among the Romanian population. The first church is in Denver gathering the population from the areas in southern, eastern and western Colorado.

The second Church, Saint Dimitrie, needs to be built in the northern part of the state to offer services to the population located in the areas north and west of Denver. From the geographic point of view, the intersection of I-25 and Highway 52 represents an ideal location so Romanians from as far as Fort Collins, Greeley, and Boulder can attend the Sunday services.

The church cannot estimate how dramatically the number of members will change based on two important factors: the new location at I-25 and Highway 52 and having their own building. Some Romanian people have promised to become members, as soon as we move to the new location and some went so far as to consider buying homes in the vicinity of the church. The future plans for development on the site have to be flexible enough to accommodate whatever growth and changes take place in our congregation.

It is the Church's intent to develop western portion of the site in phases as the congregation grows. The first phase will consist of the construction of a 5,300 sq ft. building for use as both a worship center and social hall with access off of Puritan Lane. This building will be large enough to accommodate 60 to 80 members. Depending when the church reaches these numbers, they can think about the second phase of development of the church site which would consist of the addition of a 6,000 sq. ft. church building along with additional parking, landscaping and other required site improvements.

Additional right-of-way will be dedicated to the Town along the western boundary of the site as Puritan Lane is shown as a future collector in the Town's Transportation Plan. Existing sanitary sewer, water, electric and gas utilities are located along Highway 52 and initial discussions have been held with each provider and at this time no problems in serving the site have been noted.

Due to the small size of the congregation at this time, the applicant would like to discuss with the Town Staff and Town Board the requirements and timing for the construction of the improvements for Puritan Lane, and the on-site parking lot and the on-site landscaping with the first phase of the development. It would be the Church's intent to complete development of the on-site improvements as the growth of the congregation warrants it.

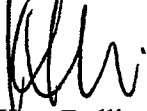
The long range future development of the church site will consist of the addition of a 6,000 sq. ft. church building along with additional parking, landscaping and other required site improvements.

We believe the annexation of the Puritan site, and the development of the Saint Dimitrie the New Church site in the Town of Frederick will be a great addition to the Town.

Attached are the required copies and supporting materials for the submittal of the Annexation and Zoning, and Comprehensive Plan Amendment your review. If you have any questions or comments, please feel free to contact us at (970) 373-4480 or kurt@cesconsultantsllc.com or carrie@cesconsultantsllc.com.

Sincerely,

CES CONSULTANTS, LLC



Kurt Rollin, P.E.
Principal



Carrie da Silva, E.I.T
Principal

kr
Attachments